

## **REMARKS**

Pending in this Application are Claims 1-69. Claims 13, 36, 58 are currently amended.

### **Rejections Under 35 U.S.C. 102(e)**

#### **Claims 1-69**

Claims 1-69 stand rejected under 35 U.S.C. 102(e) as being anticipated by Zellner et al (US 2004/0088345). According to the Examiner, "Zellner et al teach a computer program, apparatus and a method for initiating an emergency Internet Protocol request using an Internet protocol enabled device 20 having Global Positioning Systems capability 59 including the steps of monitoring (p.5, paragraph 0047+) the Internet Protocol enabled device for one or more emergency criteria, and obtaining 59 global positioning data using the Global Positioning Systems capability and sending (38, 68; abstract) the emergency Internet Protocol request whenever the one or more emergency criteria are satisfied.

#### **Claims 13-23, 36-46, 58-69**

Claims 13-23, 36-46, 58-69 stand rejected under 35 U.S.C. 102(e) as being anticipated by Zellner et al (US 2004/0088345). According to the Examiner, "With regard to claims 13-23, 36-46, 58-69, Zellner et al teach a computer program, system and a method for handling an emergency Internet Protocol request from an Internet Protocol enabled device having Global positioning Systems capability including the steps of receiving (p.3, paragraph 0032) the emergency Internet Protocol request containing global positioning data for the Internet Protocol enabled device, obtaining (18; abstract) local emergency services data based on the global positioning data, dialing 48 a call center station based on the local emergency services data, and passing (abstract) an emergency call from the Internet Protocol enabled device to the call center station."

### **Claims 1-7, 24-30, 47-52**

Claims 1-7, 24-30, 47-52 stand rejected under 35 U.S.C. 102(e) as being anticipated by Monroe (US 2004/0008253). According to the Examiner, "Monroe teaches a computer program, apparatus and a method for initiating an emergency Internet Protocol request using an Internet Protocol enabled device having Global Positioning Systems capability including the steps of monitoring (abstract; p.20, paragraph 0330+) the Internet Protocol enabled device for one or more emergency criteria, and obtaining 32, 38 global positioning data using the Global Positioning Systems capability and sending (78, 80; fig. 7) the emergency Internet Protocol request whenever the one or more emergency criteria are satisfied."

### **Response**

The present invention advantageously claims, among other elements, monitoring **software on** the Internet Protocol enabled device for one or more emergency criteria, and obtaining global positioning data using the Global Positioning Systems capability, **overriding the monitored software**, and sending the emergency Internet Protocol request whenever the one or more emergency criteria are satisfied.

The Zellner and the Monroe applications do not teach or suggest such elements that appear in currently amended claims 1, 13, 24, 36, 47, and 58.

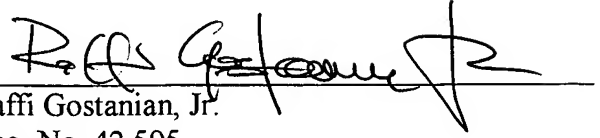
### **Conclusion**

Based on the aforementioned remarks, Applicant believes the present invention is not taught or suggested by the cited references.

Applicant respectfully submits that pending claims 2-12, 14-23, 25-35, 37-46, 48-57, and 59-69, and currently amended claims 1, 13, 24, 36, 47, and 58 are in condition for allowance. A Notice of Allowance is therefore respectfully requested.

If the Examiner has any other matters which pertain to this Application, the Examiner is encouraged to contact the undersigned to resolve these matters by Examiner's Amendment where possible.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Raffi Gostanian, Jr.", written over a horizontal line.

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Date: 1/19/05

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